

11/14/2024

LAURA A. AUSTIN, CLERK

BY: S/ KELLY BROWN

DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA

)

)

v.

)

Case No. 3:23-cr-00011

)

SCOTT HOWARD JENKINS, ET

)

AL.

)

ORDER

This matter is before the Court on Defendant Scott Howard Jenkins's motion to continue the trial for medical reasons. For the reasons stated below and on the record, Jenkins's motion is **GRANTED**. The case is hereby reset for jury trial on December 11–13, 16–20, 2024.

At approximately 7:15 am this morning, defense counsel notified the Court and the government by email that Jenkins suffered another medical emergency and was taken to the emergency room in the middle of the night. Dkt. 226. Jenkins was discharged and appeared in court this morning. Defense counsel moved again to continue the trial citing Jenkins's health and inability to participate in his own defense. Dkt. 227. The government opposes the renewed motion.

I find that the ends of justice served by granting a continuance outweigh any prejudice to the government and the best interests of the public and defendant in a speedy trial. Proceeding immediately, would make it difficult to hold a fair trial and would likely result in a miscarriage of justice. Accordingly, Jenkins's motion to continue the trial is granted. The period of time necessitated by this continuance is excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A).

The Court will hold a bond review hearing at 11:00 a.m. on November 22, 2024 to hear any evidence on Jenkins's medical condition and any conditions necessary to reasonably assure Jenkins's appearance at trial and his ability to participate in his own defense.

It is so **ORDERED**.

Entered: November 14, 2024

Robert S. Ballou

Robert S. Ballou
United States District Judge